

WILLIAM DONALD SCHAEFER, Governor

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1990.

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May 25, 1990

The Honorable R. Clayton Mitchell, Jr.  
Speaker of the House of Delegates  
State House  
Annapolis, Maryland 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 786.

House Bill 786 would require that sidewalks be constructed at the time of major rehabilitation, construction, or reconstruction of an urban highway unless the State Highway Administration (SHA) determines that they would not be essential for safety, would be too costly, or are unnecessary.

While I agree that SHA projects in urban areas should often include construction of sidewalks, I do not believe that such construction should be mandated. The bill requires sidewalk construction any time an urban highway is constructed, reconstructed, or even just rehabilitated, with the burden of proof placed on SHA as to why sidewalks would not be needed. Under the bill, sidewalks would be required even when the roadwork is limited to resurfacing, unless SHA demonstrates they are not essential for safety, or the cost and environmental impact is too great.

While I find such a requirement unacceptable, I would, however, support legislation next Session that would allow construction of sidewalks where they are needed for public safety and where costs and community impacts are not unreasonable.

For these reasons, I have vetoed House Bill 786.

Sincerely,  
William Donald Schaefer  
Governor

House Bill No. 786

AN ACT concerning

**Highways – Sidewalk Construction**

FOR the purpose of requiring sidewalks to be constructed at the time certain work is performed on certain highways unless the State Highway Administration makes certain determinations; altering the procedures by which sidewalk construction becomes part of a highway construction project; requiring the construction of sidewalks to meet certain standards; altering the financing of sidewalk